

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JEROME HAMILTON,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 94-336-KAJ
)	
FAITH LEVY, <i>et al.</i> ,)	
)	
Defendants.)	

MOTION TO WITHDRAW

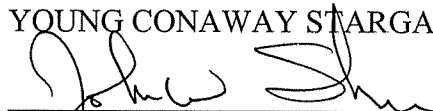
Undersigned counsel for plaintiff Jerome K. Hamilton hereby moves to withdraw and for entry of an order revoking counsel's appointment. This motion is made at the request of plaintiff. This motion is made because plaintiff has directed that undersigned counsel be discharged; in this situation, Delaware Rule of Professional Responsibility 1.16(a)(3) requires that counsel "shall withdraw from the representation of a client if the lawyer is discharged." Because counsel serves under appointment by the Court, counsel has advised plaintiff as required by the comments to Rule 1.16(a)(3).

Plaintiff has, moreover, specifically stated that he is directing the undersigned counsel to withdraw because he does not believe the undersigned counsel is providing adequate or competent representation and due to "conflict of interest."

Pursuant to Local Rule 7.1.1, counsel certifies that defendants do not oppose this motion.

WHEREFORE, plaintiff Jerome K. Hamilton respectfully requests the Court to enter the attached order granting this motion.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

A handwritten signature in black ink, appearing to read "John W. Shaw", is written over a horizontal line.

John W. Shaw (No. 3362)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19899-0391
(302) 571-6672
Attorney for Plaintiff

Dated: March 31, 2005

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FOR THE DISTRICT OF DELAWARE

JEROME HAMILTON,)	
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Plaintiff,)	
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v.)	C.A. No. 94-336-KAJ
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FAITH LEVY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

At Wilmington this ____ day of April, 2005, IT IS HEREBY ORDERED that:

1. The motion to withdraw filed by plaintiff's counsel is granted.
2. The order appointing John W. Shaw, Esquire and the law firm of Young Conaway Stargatt & Taylor, LLP to represent plaintiff in this action (D.I. 256) is revoked.

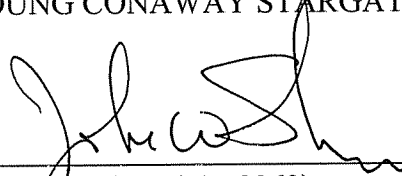
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2005, I caused to be electronically filed a true and correct copy of the foregoing with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Marc P. Niedzielski, Esquire
Thomas H. Ellis, Esquire
Richard W. Hubbard, Esquire
Ralph K. Durstein, III, Esquire
Aaron Goldstein, Esquire
Department of Justice
Carvel State Building
820 N. French Street
Wilmington, DE 19801

YOUNG CONAWAY STARGATT & TAYLOR, LLP

A handwritten signature in black ink, appearing to read "John W. Shaw", is written over a horizontal line.

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